



J.F.W

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Li  
FOR : NEAR OPTIMAL FAIRNESS BACK OFF  
METHODS AND SYSTEM  
SERIAL NO. : 09/848,127  
FILED : May 3, 2001  
EXAMINER : Jeffrey R. Swearingen  
ART UNIT : 2145  
CONFIRMATION NO. : 6536  
ATTORNEY DOCKET NO. : LUTZ 2 00435  
Case Name/No. Li 3

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Examiner indicated that claims 1-7, 9-14, 16-18 and 20 are allowed over the prior art. This recognition of allowable subject matter is acknowledged and appreciated.

However, while the applicant agrees that the claims are allowable, the applicant does not concede that the claims are only allowable for the precise reasons stated by the Examiner.

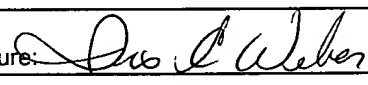
Furthermore, the applicant does not concede that the Examiner's statements are entirely accurate and precise.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

August 21, 2006  
Date

  
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CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input checked="" type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
<input type="checkbox"/> transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: <u>August 21, 2006</u>	Name: Iris E. Weber